IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Brooks et

al.

Serial No.: 10/711,809

Docket No. 22,1552

Examiner: Michelle Renee CLEMENT

Date Filed: October 6, 2004

Art Unit: 3641

Integrated Detonators for use with For:

Explosive Devices

Box DAC

Attention: Office of Petitions Assistant Commissioner for Patents Washington, DC 20231

PETITION FOR WITHDRAWAL OF A HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181(a) and 37 CFR § 1.137 and SUPPLEMENTAL RESPONSE TO ELECTION/RESTRICTION

Dear Madam:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

Applicant hereby petitions for revival of this application. Enclosed is a:

Petition fee, and

Adequate showing of the cause of unavoidable delay.

On March 31, 2008 though a review of PAIR on the U.S. Patent and Trademark Office website, Applicants discovered that U.S. Application No. 10/711,809 had been listed as abandoned for failure to respond.

Applicants never received such communication setting forth a requirement to respond. Therefore Applicants' failure to respond was <u>Unavoidable</u> and <u>Unintentional</u>. Below is a short synopsis of the most relevant dates and actions involved with this situation.

7/10/2007 - Applicants respond to Election/Restriction requirement.
9/12/2007 - PTO dated Notice of Non-Compliant Response (Never Received)
3/27/2008 - PTO dated Notice of Abandonment for Not Responding (Not Yet Received)

Unavoidable: The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable. Applicants filed a response on July 10, 2007 to Election/Restriction requirement mailed on 6/18/2007. Applicants' response was a bona fide attempt to respond. Applicants did not receive an Office communication relating to this Application from then on. On March 31, 2008, through review of U.S. Patent and Trademark PAIR, Applicants became aware of the Notice of Non-Compliant Amendment dated 9/12/2007 that was never received by Applicants and a Notice of Abandonment dated 3/27/2008 that has not yet been received by Applicants. Attached is a copy of internal logs showing all documents received from the U.S. Patent and Trademark Office within a period when one would have expected the Notice of Non-Compliant Amendment to have arrived, thereby evidencing non-receipt of the Notice of Non-Compliant Response.

<u>Unintentional</u>: Additionally, Applicants hereby state that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Fee: The \$510.00 petition fee as set forth in 37 CFR 1.17(I) is enclosed. Should the fee be deficient in any way, Applicants authorize the difference to be charged to deposit account No. 50-0457.

Respectfully submitted,

Registration No. 53,297

14910 Airline Rd. Rosharon Texas, 77583 (281) 285 6534 (281) 285 5537 (FAX)

March 31, 2008 Date:

Page 1 of 2

09-10-2007::09:47:59

								Earliest Image
Application Number	Patent Number	Attorney Docket Number	Customer Number	Mailing Date	Image Date	Document Code	Document Description	View Date
11/733,511	1	1	35204	09-06-2007 09-07-2007		PUB	╡┝━━━	
11/308,036	1	68.0522	35204	09-06-2007	09-07-2007	NTC.PUB	Notice of Publication	
11/842,273	ı	68.0702	35204	08-30-2007	09-06-2007	PEFN	Pre-Exam Formalities Notice	
11/162,303	1	22.1560	35204	09-07-2007	09-06-2007	CTNF	Non-Final Rejection	
11/162,303	ı	22.1560	35204	09-07-2007	09-06-2007	892	List of references cited by examiner	1
11/162,303		22.1560	35204	09-07-2007	09-06-2007	1449	List of References cited by applicant and considered by	1
10/709,972	ı	68.0435	35204	09-05-2007 09-06-2007	09-06-2007	ISSUE.NTF	Issue Notification	1
10/709,800	,	68.0477	35204	09-05-2007	09-06-2007	ISSUE.NTF	Issue Notification	1
					_	-	_	

09-06-	09-06- 2007	09-06- 2007	09-06- 2007	09-06- 2007	09-06- 2007
Non-Final Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner		Final Rejection	S
\	1449	892	CTFR	CTFR	1449
19-05-2007		09-05-2007		09-05-2007	09-05-2007
08-31-2007 09-05-2007 CTNF	08-31-2007 09-05-2007	08-31-2007	08-34-2007 09-05-2007	09-06-2007 09-05-2007	08-28-2007
35204	35204	35204	35204	35204	35204
68.0547	68.0547	68.0547	68.0592	22.1512CIP V	680429
<u>-</u>			1		
11/306,225	11/306,225	11/306,225	11/162,372	10/908,037	10/904,091

Close Window

Earliest Image Date Description Notice of Allowance and Fees Due (PTOL-85) List of
References
cited by
applicant
and
considered
by and Fees Due (PTOL-85) Notice of Allowance Document Non-Final Rejection Non-Final Rejection references examiner examiner cited by List of Document CINF CTNF NOA NOA Image Date ||Code 1449 892 99-12-2007 09-11-2007 | 09-12-2007 09-12-2007 | 09-12-2007 09-12-2007 | 09-12-2007 09-11-2007 09-12-2007 09-12-2007 | 09-12-2007 09-12-2007 Mailing Date **Customer Number** 35204 35204 35204 35204 35204 35204 Number Attorney Docket Number ∕8.0540 ∨ 68.0506 √ 68.0540 68.0430 68.0540 68.0430 Application | Patent 11/306,652 11/306,652 10/906,157 10/906,157 11/306,652 10/904,324 Number

09-13-2007::09:04:02

List of references cited by examiner	Non-Final Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner	Advisory Action (PTOL-	Examiner's Answer to Appeal Brief	Non-Final Rejection	List of References cited by applicant and
892	CTNF	1449	892	CTAV	APEA	CTNF	1449
	09-11-2007	09-11-2007	09-11-2007	09-11-2007	09-11-2007	09-10-2007	09-10-2007
09-12-2007 09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-10-2007	09-07-2007	09-07-2007
35204	35204	35204	35204	35204	35204	35204	35204
68.0506	68.0426CIP1	68.0426CIP1	68.0426CIPA	68.0492 Wetion	22.1493	(22.1555)	22.1555
-					-	-	5
10/904,324	11/163,502	11/163,502	11/163,502	10/906,083	10/304,205	11/160,021	11/160,021

		<u> </u>	
	1	09-10- 2007	09-10- 2007
considered by examiner	List of references cited by examiner	Notice of Publication	Notice of 09-10 Publication 2007
	892	NTC.PUB	NTC.PUB
	09-10-2007	09-06-2007 09-07-2007 NTC.PUB Notice of Publication	09-06-2007 09-07-2007 NTC.PUB Notice of 09-10-
	09-07-2007 09-10-2007	09-06-2007	09-06-2007
	35204	35204	35204
	22.1555 //	68:0268 V	68.0522
	1		ı
	11/160,021	11/733,511	11/308,036

Close Window

	iest	ور .						•			· · · · · ·		έ,	ф.
	Earliest	Image View	Date			1		-				<u> </u>	09-13- 2007	2007
		Document	Description	Abandonment	Non-Final Rejection	List of references	cited by examiner	Notice of	and Fees Due (PTOL-85)	Notice of	Allowance and Fees Due (PTOL-85)	Issue Notification	Non-Final Rejection	List of References cited by applicant and considered by
09-14-2007::14:51:48		Document		ABN	CTNF	892		NOA		NOA		ISSUE.NTF	CTNF	1449
09-14-200			Image Date	09-13-2007	09-13-2007	09-13-2007		09-13-2007		09-13-2007		09-13-2007	09-12-2007	09-12-2007
		 Mailing /	Date /	09-04- 2007	69-12- 2007	09-12- 2007		09-13-	/ 007	09-13-	7007	09-12- 2007	09-12- 2007	09-12- 2007
			Customer Number	35204	35204	35204		35204	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	35204		35204	35204	35204
		(Attorney Docket Number	101.0204	68.0346DIV1	68:0346DIV1		(88/0557		(88.0557)		68.0397	68.0540	68.0540
		Patent	Number	-		-	/	ı		1		•	ノ <u>、</u>	
		Application	Number	11/758,863	11/550,532	11/550,532		10/907,509		10/907,509		10/709,554	11/306,652	11/306,652

	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13-	09-13-
examiner	List of references cited by examiner	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Non-Final Rejection		-	s md by	List of references cited by examiner	
	892	NOA	NOA	CTNF	892	CTNF	1449	892	CTAV
	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-11-2007	09-11-2007	09-11-2007	09-11-2007
	09-12- 2007	09-11- 2007	09-11- 2007	09-12- 2007	09-12- 2007	09-12- 2007	09-12- 2007	09-12- 2007	09-12-
	35204	35204	35204	35204	35204	35204	35204	35204	35204
	(68.0540)	68.0430	68.0430	68.0506	68.0506	68.0426CIP1	68.0426CIP1	68.0426CIP1	68.0492
	-	-	-	-	-	- 7		-	3
	11/306,652	10/906,157	10/906,157	10/904,324	10/904,324	11/163,502	11/163,502	11/163,502	10/906,083

-	ı 	·			
2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	
Action (PTOL-303)	Examiner's Answer to Appeal Brief	Non-Final Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner	
	APEA	CTNF	1449	892	
	09-11-2007	09-10-2007 CTNF	09-10-2007	09-10-2007	
2007	09-10- 2007	09-07- 2007	09-07- 2007	09-07- 2007	
	35204	35204	35204	35204	
	22.1493	/ 22.1555	22.1555	22.1555	
	_	-	-	1	
	10/304,205	11/160,021	11/160,021	11/160,021	

Close Window

00) M/P (00)

		1		1	<u> </u>	1	1	I		
	Earliest Image View Date		1	I.	1	09-14- 2007	09-14- 2007	09-14- 2007	09-14- 2007	09-14-
	Document Description	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Notice of Publication	Abandonment	Non-Final Rejection	List of references cited by examiner	Notice of Allowance and Fees Due (PTOL-85)	Notice of
09-17-2007::11:24:01	Document Code	PEFN	PEFN	PEFN	NTC.PUB	ABN	CTNF	892	NOA	NOA
09-17-200	Image Date	09-14-2007	09-14-2007	09-14-2007	09-14-2007	09-13-2007	09-13-2007	09-13-2007	09-13-2007	09-13-2007
	Mailing Date	09-12- 2007	09-11- 2007	09-11- 2007	09-13- 2007	09-04- 2007	09-12- 2007	09-12- 2007	09-13- 2007	09-13-
	Customer Number	35204	35204	35204	35204	35204	35204	35204	35204	35204
	Attorney Decket Number	89.0537	68.0692	22.1620	103.0009 US/PCT	101.0204	68.0346DIVI	68.0346DIV1/	68.0557	1550.89
	Patent Number		·	1			-		1	<u> </u>
	Application Number	11/848,838	11/845,966	11/844,414	10/575,030	11/758,863	11/550,532	11/550,532	10/907,509	10/907,509

		<u> </u>							<u> </u>
2007	09-14- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007	09-13-
Allowance and Fees Due (PTOL-85)	Issue Notification	Non-Final Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Non-Final Rejection	List of references cited by examiner	Non-Final
	ISSUE.NTF	CTNF	1449	892	NOA	NOA	CTNF	892	CTNF
	09-13-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-12-2007	09-11-2007
2007	09-12- 2007	09-12- 2007	09-12- 2007	09-12- 2007	09-11- 2007	09-11- 2007	09-12- 2007	09-12- 2007	09-12-
	35204	35204	35204	35204	35204	35204	35204	35204	35204
	68.0397	68.0540	68.0540	68.0540	68.0430	68.0430	68.0506	68.0506	68.0426CIP1
	•	-	-	-	1		_	-	
	10/709,554	11/306,652	11/306,652	11/306,652	10/906,157	10/906,157	10/904,324	10/904,324	11/163,502

7.	09-13- 2007	09-13- 2007	09-13- 2007	09-13- 2007
2007	09-13 2007	09-13 2007	09-13 2007	09-13 2007
Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner	Advisory Action (PTOL-303)	Examiner's Answer to Appeal Brief
	1449	892	CTAV	APEA
	09-11-2007	09-11-2007	09-11-2007	09-11-2007 APEA
2007	09-12- 2007	09-12- 2007	09-12- 2007	09-10- 2007
	35204	35204	35204	35204
	68.0426CIPT	68.0426CIP1	68.0492	22.1493
	1	ſ	ı	ı
	11/163,502	11/163,502	10/906,083	10/304,205

Close Window

allalon

iest ge ,						7-	7-	7-
Earliest Image View Date	1	1	4	l l	1 .	09-17- 2007	09-17- 2007	09-17- 2007
Document Description	Pre-Exam Formalities Notice	Communication - Re: Power of Attorney (PTOL-308)	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Non-Final Rejection	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Pre-Exam Formalities
Document Code	PEFN	N570	NOA	NOA	CTNF	PEFN	PEFN	PEFN
Image Date	09-17-2007	09-17-2007	09-17-2007 NOA	09-17-2007 NOA	09-17-2007 CTNF	09-14-2007	09-14-2007 PEFN	09-14-2007 PEFN
Mailing Date	09:12- 2007	09-12- 2007	09-14- 2007	09-14- 2007	09-17- 2007	09-12- 2007	09-11- 2007	09-11- 2007
Customer Number	35204	35204	35204	35204	35204	35204	35204	35204
Attorney Docket Nymber	68.0706	68.0687 this need to be linked?	68.0446	68.0446	68.0479	89.0537	68.0692	22.1620
Patent Number	ı			ı	1	ı	ı	1
Application Number	11/846,203	11/765,807	10/905,713	10/905,713	10/905,196	11/848,838	11/845,966	11/844,414

09-19-2007::13:27:32

	09-17- 2007	09-14- 2007	09-14- 2007	09-14- 2007	09-14- 2007	09-14- 2007	09-14- 2007
Notice	Notice of Publication	Abandonment	Non-Final Rejection	List of references cited by examiner	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Issue Notification
	NTC.PUB	ABN	CTNF	892	NOA	NOA	09-13-2007 ISSUE.NTF Issue
	09-14-2007 NTC.PUB	09-13-2007 ABN	09-13-2007	09-13-2007	09-13-2007 NOA	09-13-2007 NOA	09-13-2007
	09-13- 2007	09-04- 2007	09-12- 2007	09-12- 2007	09-13- 2007	09-13- 2007	09-12- 2007
	35204	35204	35204	35204	35204	35204	35204
	103.0009 US/PCT	101.0204	68.0346DIVT	68.0346DIV1	68.0557	68.0557	68.0397
	-	ì	-	1	-	-	-
	10/575,030	11/758,863	11/550,532	11/550,532	10/907,509	10/907,509	10/709,554

Close Window

	Earliest Image View Date	1	ı	ı	1		1	ı	2
-	Document Description	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Non-Final Rejection	List of References cited by applicant and considered by examiner	List of references cited by examiner	Non-Final Rejection	List of references cited by examiner	Non-Final Rejection
09-20-2007::08:47:34	Document Code	PEFN	PEFN	CTNF	1449	892	CTNF	892	CTNF
09-20-20	Image Date	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007
	Mailing Date	09-17- 2007	09-17- 2007	09-18- 2007	09-18- 2007	09-18- 2007	09-18- 2007	09-18- 2007	09-20- 2007
H	Customer Number	35204	35204	35204	35204	35204	35204	35204	35204
my batcal 91"	dttorney Docket Number	68.0724	68.0704	Q8:03≤7 ×	68.0357	68.0357	(8.0406 /	68.0406	68.0281CNT
	Patent Number	-	-	-	-	-	_	-	1
_	()() Application Number	11/850,392	11/850,243	11/161,939	11/161,939	11/161,939	10/905,775	10/905,775	10/905,560

					,	,		
		1	1	å	1	1	,	1
List of references cited by examiner	Non-Final Rejection	List of references cited by examiner	List of References cited by applicant and considered by examiner	List of References cited by applicant and considered by examiner	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Non-Final Rejection	List of references cited by examiner
892	CTNF	892	1449	1449	NOA	NOA	CTNF	892
09-19-2007 892	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007	09-19-2007
09-20- 2007	09-19- 2007	09-19- 2007	09-19- 2007	09-12- 2007	09-19- 2007	09-19 - 2007	09-19- 2007	09-19- 2007
35204	35204	35204	35204	35204	35204	35204	35204	35204
68.0281CNT V	88.0501	68.0501	68.0501	22.1534	68.0336	68.0336	22.1397	22.1397
- 0:	1 -	- 1	- 14	- +	86	36	- 0+	
10/905,560	10/904,071	10/904,071	10/904,071	10/710,564	10/414,586	10/414,586	09/871,240	09/871,240

			<u> </u>				<u> </u>		
	2007	09-19- 2007	09-19- 2007	09-19- 2007	09-19- 2007	09-17- 2007	09-17- 2007	09-17- 2007	09-17- 2007
	Pre-Exam Formalities Notice	Communication - Re: Power of Attorney (PTOL-308)	Notice of Allowance and Fees Due (PTOL-85)	Notice of Allowance and Fees Due (PTOL-85)	Non-Final Rejection	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Pre-Exam Formalities Notice	Notice of Publication
	PEFN	N570	NOA	NOA	CTNF	PEFN	PEFN	PEFN	NTC.PUB
	09-17-2007 PEFN	09-17-2007	09-17-2007	09-17-2007	09-17-2007	09-14-2007	09-14-2007	09-14-2007	09-14-2007
	09-12- 2007	09-12- 2007	09-14- 2007	09-14- 2007	09-17- 2007	09-12- 2007	09-11- 2007	09-11- 2007	09-13- 2007
	35204	35204	35204	35204	35204	35204	35204	35204	35204
	68.0706	68.0687	68.0446	68.0446	68.0479	89.0537	68.0692	22.1620 V	103.0009 US/PCT 🗸
1								_	
:	11/846,203	11/765,807	10/905,713	10/905,713	10/905,196	11/848,838	11/845,966	11/844,414	10/575,030

Close Window